

STATE OF SOUTH CAROLINA)
) IN THE COURT OF COMMON PLEAS
COUNTY OF Charleston)
NATIONWIDE PROPERTY &)
CASUALTYINSURANCE COMPANY) Case No.:

PLAINTIFF,
vs:)
) SUMMONS
) (Non-Jury)
GARY MCCOMBS; RAGAN MCCOMBS)
ALBERT; ROBERT G ALBERT)
)
DEFENDANT(s).

FILED
2013 DEC 11 PM 4:12
JULIE J. ARNSTRONG
CLERK OF COURT
BY _____

TO THE DEFENDANT(s) ABOVE-NAMED:

You are hereby summoned and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to said Complaint, upon the subscriber of THE DILLON LAW FIRM PC at the office address of 1130 Hurricane Shoals Rd., Suite 600, Lawrenceville, GA 30043 within thirty (30) days after the service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, PLAINTIFF will apply to the Court for the relief demanded in the Complaint.

Submitted this December 9, 2013.

TRACE DILLON
Bar No. 16857
Attorney for PLAINTIFF
THE DILLON LAW FIRM PC
1130 Hurricane Shoals Rd
Suite 600
Lawrenceville, GA 30043
(770) 513-6400 (Office)
(770) 513-6577 (Facsimile)

RECEIVED
SEP 25 2014
SC Court of Appeals

Facts:

5. Defendants ROBERT ALBERT AND RAGAN MCCOMBS ALBERT owned rental property.
6. Defendant GARY MCCOMBS repaired this rental property.
7. Defendant(s) negligently caused a damage to property belonging to Plaintiff's insured.
8. The total amount of the damage caused is \$18,923.91.

Count One: Negligence


9. PLAINTIFF realleges the foregoing paragraphs as if fully set forth and is incorporated herein by reference.
10. Defendant(s) has negligently caused harm to Plaintiff as alleged above.
11. Defendant(s) has breached the terms of the contract.

Wherefore, PLAINTIFF prays that it be granted judgment for the following amounts:

- 1) For Count One, Negligence, PLAINTIFF prays that it be granted \$18,923.91 in principal, \$4,935.77 in prejudgment

interest from December 17, 2010 through December 9, 2013,
court costs and post judgment interest at the legal rate.

This 10th day of December, 2013.



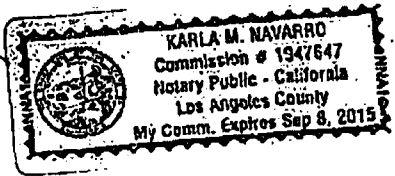
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States, and such claim is against **GARY MCCOMBS RAGAN MCCOMBS ALBERT**, ACCOUNT NUMBER [REDACTED], BALANCE \$18,923.91 is within the knowledge of affiant, just and true, that it is due and that all just and lawful offsets, payments and credits have been allowed, that these were made in the regular course of business for an employee or representative of the business with personal knowledge of such act, event or condition to make such memorandum or record or to transmit information thereof to be included in such memorandum of record, and that it was made at or near the time of the act, event or condition or reasonable soon thereafter.

By: [Signature]
Affiant Name

Sworn and subscribed before me this
25th day of November, 2013.

[Signature]
NOTARY PUBLIC.



Trace Dillon, Esq.
Admitted to GA, SC & TN
Bars

THE DILLON LAW FIRM, PC
ATTORNEYS AT LAW

Brandi Fishel, Esq.
Admitted to GA Bar
Natalie Powers, Esq.
Admitted to SC & OH Bars

1130 Hurricane Shoals Rd
Suite 600
Lawrenceville, GA 30043

(770) 513-6400
Facsimile (770) 513-6577
trace@dillonlawfirmpc.com
www.dillonlawfirmpc.com

NOVEMBER 20, 2013

VIA FIRST CLASS MAIL
GARY MCCOMBS
1282 CHRISMILL LANE
MOUNT PLEASANT, SC 29466

RE: NATIONWIDE PROPERTY & CASUALTY INSURANCE COMPANY
vs: GARY MCCOMBS and RAGAN MCCOMBS ALBERT
Our File No.: 13001448
Principal Amount: \$18,923.91
Interest to date: \$4,849.58
Total: \$23,773.49

Dear GARY MCCOMBS:

THE DILLON LAW FIRM PC has been retained by the above creditor to collect the above outstanding past due indebtedness. Accordingly, demand is hereby made that the above amount (which does include allowable interest) be paid to this office.

Our client may also seek attorney's fees incurred in the collection of this debt plus future allowable interest. If you dispute this debt or any portion of this debt, please do so within 30 days after receipt of this letter, or we will consider the debt to be valid and due. If you notify us in writing, within the 30 day period, that the debt or any portion of the debt is disputed, we will obtain verification of the debt OR a copy of the judgment against you and provide you with a copy of such verification or judgment.

Furthermore, if you send a written request within the 30 day period, we will provide you with the name and address of the original creditor, if different from the current creditor. We reserve the right to pursue every legal remedy available to collect this debt during and after that time. Please note that this is an attempt to collect a debt and any information obtained, will be used for that purpose.

Send your payment to our office referencing our file number. Please note we accept Visa, Master Card, and checks for payment. Please call to make payment arrangements and for details.

Sincerely
THE DILLON LAW FIRM PC

BRANDI FISHEL or TRACE DILLON

EXHIBIT

6

Trace Dillon, Esq.
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NOVEMBER 20, 2013

VIA FIRST CLASS MAIL
RAGAN MCCOMBS ALBERT
16512 KETTLEWELL LAN
CHARLOTTE, NC 28277

RE: NATIONWIDE PROPERTY & CASUALTY INSURANCE COMPANY
vs: GARY MCCOMBS and RAGAN MCCOMBS ALBERT
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NOVEMBER 20, 2013

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ROBERT G. ALBERT
16512 KETTLEWELL LANE
CHARLOTTE, NC 28277

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Sincerely,
THE DILLON LAW FIRM PC

BRANDI FISHEL or TRACE DILLON



STATE OF SOUTH CAROLINA)	
COUNTY OF Charleston)	IN THE COURT OF COMMON PLEAS
NATIONWIDE PROPERTY & CASUALTY INSURANCE COMPANY)	Case No.:
)	
PLAINTIFF,)	
vs.)	PLAINTIFF's First Interrogatories and Requests for Production of Documents, DEFENDANT(s)
GARY MCCOMBS; RAGAN MCCOMBS ALBERT; ROBERT G ALBERT)	
)	
DEFENDANT(s).)	

Pursuant to S.C.R.C.P. 26, 33, 34, and 36, the following Requests are propounded by PLAINTIFF to be answered by Defendant(s) separately and fully in writing and under oath, and in accordance with the above-cited rules.

These Requests are addressed to the knowledge of Defendant(s) and the agents, representatives and attorneys of same. If the answer to the entire question is not known, so state and answer the part known. If an exact date is not known, state the closest approximate date.

These Requests are deemed continuing in nature and call for prompt supplemental production whenever Defendant(s) shall receive or discover information covered by the provisions of S.C.R.C.P. 26, including, inter alia, the ongoing duty of to supplement promptly the responses to these Requests should obtain information upon the basis of which Defendant(s) know(s) a prior response was incorrect or incomplete when made, or that a

response, thought correct and complete when made, is no longer true and complete. A failure to deny the attached Requests for Admission, within the time permitted by law, will be deemed an admission pursuant to S. C. R. Civ. P. 36.

INSTRUCTIONS AND DEFINITIONS

For the purposes of these Requests the following definitions and instructions shall apply:

- A) For purposes of these requests, "**document**" or "**documents**" is used in its broadest sense, and means all tangible items and all written, printed, typed, recorded, transcribed, punched, taped, or graphic matter of every type and description, however and by whomever prepared, produced, reproduced, disseminated, or made, including, but not limited to, writings, records, correspondence, communications, letters, diaries, diary entries, logs, log books, schedules, change orders, contracts, purchase orders, delivery tickets, cost reports, payroll ledgers, telegrams, telexes, memoranda, notes, reports, bulletins, summaries, or other records of telephone or personal conversations, minutes or summaries of telephone or personal meetings and conferences, instructions, literature, work assignments, agreements, subcontracts, interoffice or intra office communications, electronic

mail, microfilm, notebooks, calendars, appointment books, circulars, pamphlets, projections, studies, estimates, charts, lists, tables, computer runs, tabulations, printouts, notices, books, checks, credit card vouchers, statements of account, receipts, invoices, graphs, photographs, photocopies, drafts, data sheets, data compilations, computer data compilations, statistics, worksheets, speeches or other writings, and tape recordings, and means the original, copy, or any non-identical copy or draft version, regardless of origin or location, which is within the scope of Rule 34 S.C. R. Civ. P.

- B) "You" or "your" means, and the attorneys, representatives, and agents of same.
- C) "Identify" or "identity" as used in these Requests in connection with any person or persons requires the following information for each person:
- i) the person's full name;
 - ii) the person's last known business address and telephone number;
 - iii) the person's last known home address and telephone number;
 - iv) the person's last known employer; and
 - v) the person's last known title, position, or business.

- D) **"Identify"** or **"identity"** as used in these Requests in connection with any tangible item or thing requires the following information for each:
- i) a detailed description of the item or thing; and
 - ii) the present location of the item or thing.
- E) **"Describe"** as used in these Requests in connection with any act, occurrence, omission, or series of acts, occurrences or omissions requires the following information:
- i) the identity of each and every person involved in the act, occurrence, omission or series of acts, occurrences or omissions as provided in the definition of "identify;"
 - ii) the date or dates of each and every act, occurrence or omission;
 - iii) a brief description of the act, occurrence, omission, or series of acts, occurrences or omissions and the substance of any contact or communication in connection therewith; and
 - iv) a description of each and every document involved in the act, occurrence, omission or series of acts, occurrences or omissions.
- F) **"Specify"** or **"identify"** as used in these Requests in connection with any document requires the following information for each document:

- i) the title of the document with sufficient particularity to permit its identification;
- ii) the name, position of employment or title and business address of each person who prepared or participated in the preparation of each document;
- iii) the date on which each document was prepared;
- iv) the identity of each person who received or obtained a copy of each document; and
- v) if all copies of the document have been destroyed, identify the person or persons authorizing the destruction of the document and the date of the destruction of the document.

In lieu of specifying documents, may, at its option, attach such documents to the answers to these Requests..

- G) "Relative to" or "related to" as used in these Requests shall be construed in its broadest sense to mean directly or indirectly describing, setting forth, referring to, concerning, addressing, alluding to, responding to, connected with, arising from, mentioning, commenting on, supporting, contradicting, summarizing, showing, describing, reflecting, analyzing, constituting, or in any way relevant to the specified subject, whether in whole or in part.
- H) "Person" and "persons" as used in these Requests means any individual or natural person, firm, partnership,

corporation, committee, association, governmental body, agency or subdivision, political action group or any other organization or entity.

- I) **"Contact"** or **"communication"** shall mean all modes of conveying meaning or information including, without limitation, telephone, telegraph, written or spoken language between two persons.
- J) **"Complaint"** shall mean the complaint filed by the Plaintiff in this action.
- K) **"Answer"** shall mean the answer filed by the Defendant(s) in this action.
- L) **"Pleadings"** shall mean the Complaint, Answer, and all other Motions and Petitions filed by the parties in this action.
- M) Irrespective of whether you consider a document privileged or subject to any claim of privilege, please provide the following information:
 - (a) Title or other means of identification of each document;
 - (b) The date of the document, if dated;
 - (c) A general description of the length and subject matter of the document;
 - (d) The name, address, telephone number, and employer of the author or person who created, prepared, compiled or otherwise authorized the documents;

- (e) The name, address, and telephone number of the person or persons who have custody or control of the original and/or copy of each document;
 - (f) Any privilege claimed with respect to the document, the nature of such privilege, and each and every fact supporting the purported claim(s) of privilege.
- N) The singular form of a word shall also be interpreted as its plural as would bring within the scope of these Discovery Requests and information that might otherwise be construed to be outside its scope.
- O) The terms "and" as well as "or" shall be construed either conjunctively or disjunctively as would bring within the scope of these Discovery Requests and information that might otherwise be construed to be outside its scope.

INTERROGATORIES

- 1) Give the names and addresses of persons known to you or your counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
- 2) Set forth a list of photographs, plats, sketches or other prepared documents in your or your counsel's possession or control that relate to your claims and defenses in the case.

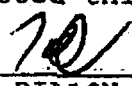
- 3) List the names and addresses of any expert witnesses whom Defendant(s) proposes to use as a witness at the trial of the case.
- 4) For each person known to the Defendant(s) or Counsel for the Defendant(s) to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.
- 5) Please identify the person(s) responding to these interrogatories and requests.

REQUEST FOR PRODUCTION OF DOCUMENTS

- 1) All documents identified in your Responses to the foregoing Interrogatories or the following Request for Admissions.
- 2) All statements in Defendant(s)'s possession whether written or oral, relating to the subject of this suit.
- 3) Copies of any documents relied upon by you in drafting your pleading and that you claim supports your claims and defenses and contradicts the assertions in the pleadings of PLAINTIFF.
- 4) Copies of all documents you or your counsel intend to present at trial or that you or your counsel rely upon in preparing for hearings or the trial of this case.
- 5) For each expert you have contacted, whether or not employed by you or your counsel, please produce for each:

- A) A copy of such person's most recent curriculum vitae or resume outlining such person's address, phone number, current occupation, expertise, educational background, and such person's current and former employers for the past ten (10) years;
- B) Any documents reviewed by such person related to this case;
- C) Any reports or notes created or generated by such person;
- D) Any documents that you, your counsel, or such person contends supports such person's position; and
- E) Any documents that you, your counsel, or such person contends supports such person being qualified as an expert in this case.

Submitted this 10th day of December, 2013.



TRACE DILLON
Bar No. 16857
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September 16, 2014

VIA FIRST CLASS MAIL
CLERK OF COURT,
P.O. Box 11629
Columbia, SC 29201

RE: NATIONWIDE PROPERTY & CASUALTY INSURANCE COMPANY
VS. GARY MCCOMBS
RAGAN MCCOMBS ALBERT
Our File No.: 13001448
Civil Action Number:2013CP1007203

Dear Clerk:

Pursuant to your request, please find a copy of the Summons and Complaint.

Should you have any questions, please feel free to call.

Sincerely yours,
THE DILLON LAW FIRM PC


TRACE DILLON

Enclosure

RECEIVED

SEP 25 2014

SC Court of Appeals

